CITY OF ELGIN 137620

ORDINANCE NO. 4
SERIES 1991

AN ORDINANCE VACATING AN ALLEY IN THE BLOCK BOUNDED BY 16th AND 17th AVENUES, AND COLUMBUS AND DETROIT STREETS

WHEREAS: The City Council of Elgin, Oregon has on May 14, 1991, by motion of the Council initiated vacation proceedings for a 12 feet wide alley running North and South in the block bounded by 16th and 17th avenues, and Columbus and Detroit streets, and;

WHEREAS: The time and place for a public hearing on the proposed vacation has been set for May 14, 1991 at 7:15 pm at the Elgin Community Center, and;

WHEREAS: Notice of said public hearing for the proposed alley vacation was posted at the U.S. Bank, the U.S. Post Office, the Elgin Community Center, and the City Hall, within the City of Elgin, and also posted in two conspicuous places on either end of the alley, for four consecutive and successive weeks, from April 2, 1991 prior to the said hearing, said posting verified by affidavit filed by the City Recorder, and;

WHEREAS: The City Council did cause an examination to be made of the herein above described alley, and found that the right-of-way of the 12 feet wide alley was not open and had not been used for public purposes, with no road way upon the same, and;

WHEREAS: The City Council has found that the vacation of the said alley right-of-way will not in any way adversely affect the market value of the adjoining, adjacent and closely situated properties, nor will cause any damage to inure thereto, and that the interest of the public therein will not be prejudiced by such vacation, and;

WHEREAS: At the time and place fixed for the said vacation hearing, to-wit: the hour of 7:15 pm at the Elgin Community Center, Elgin, Oregon, on Tuesday May 14, 1991, the Elgin City Council called the hearing to order, and did hold a public hearing on the proposed vacation; no objection or remonstrances to such vacation were made in writing or filed with the City Recorder prior to the time of the hearing, or at all, and no one appeared at the hearing to make any objections or remonstrances to such vacation;

NOW THEREFORE, the City of Elgin Ordains as Follows;

Section 1:
The platted 12 feet wide alley within the block bounded by 16th and 17th avenues, and Columbus and Detroit streets, is hereby vacated.

Section 2:
The title to the portion of the said alley vacated by Section 1 above, shall attach equally to the lands bordering on the East and on the West of said alley, adding a depth of 6 feet to each such lot.

Section 3:
Any electric transmission lines, information transmission lines, water mains, gas mains, or sewer lines or any other utilities or services in, on, or under that portion of said alley vacated by section 1 above, are hereby granted a permanent easement for purposes of the continuation of providing service, maintenance of such utilities and the expansion of such utilities and/or services, subject to the contracts, agreements, ordinances and regulations of the City of Elgin.

PASSED AND ADOPTED THIS 11th DAY OF June 1991, BY Six (6) COUNCIL MEMBERS VOTING THEREFORE.

Rod Spikes	yes	Berta Churchill	Yes
MAYOR	vote	CITY COUNCILOR	vote
Roger Owen	Yes	Clayton R Breckon	
CITY COUNCILOR	vote	CITY COUNCILOR	vote
Kevin J Cooper	Yes		
CITY COUNCILOR	vote	CITY COUNCILOR	vote
J Bud Rogers	yes	Jo Galt	
CITY COUNCILOR	vote	CITY RECORDER attest	
		Date 6-12-91	

Rec. No. 82591 Fd. $ 15 –
STATE OF OREGON
County of Union
I certify that the within instrument was received for recording on the 20th day of June 19 91 at 9:45 A.M./P.M., and was recorded on microfilm no. 137620 Record of Deeds/Mortgages of said County
N. Nellie Bogue Hibbert County Clerk
By Nellie Bogue Hibbert
Deputy

May 13, 1991

AFFIDAVIT OF POSTING NOTICE FOR: The vacation of the alley platted within the block bounded by 16th and 17th avenues and Columbus and Detroit streets.

I hereby certify the notice of the proposed vacation hearing for the fore mentioned alley was made to the public as follows:

The time and place for a public hearing on the proposed vacation was set for May 14, 1991 at 7:15 pm at the Elgin Community Center, and;

Notice of said public hearing for the proposed alley vacation was posted at the U.S. Bank, the U.S. Post Office, the Elgin Community Center, the City Hall, all within the City of Elgin, and in two conspicuous places on either end of the alley, for four consecutive and successive weeks, from April 2, 1991 prior to the said hearing.

ATTEST: _____ Date May 13, 1991

Joe Garlitz
Recorder/Administrator

Posted 4/2/91 J/C Post office Cafe City office

NOTICE OF STREET VACATION

THE CITY COUNCIL OF ELGIN HAS, BY MOTION OF THE COUNCIL, INITIATED VACATION PROCEEDINGS FOR AN ALLEY WAY IN THE BLOCK BOUNDED BY 16TH AND 17TH STREETS, AND DETROIT AND COLUMBUS AVENUES. THE PROPOSED VACATION WILL BE CONSIDERED AT A PUBLIC HEARING BEFORE THE COUNCIL ON MAY 14, 1991 AT 7:15 PM.
THE INITIAL REQUEST TO THE COUNCIL WAS SUBMITTED BY MIKE SOUTHWICK, ABUTTING PROPERTY OWNER.

ANY OBJECTION OR REMONSTRANCE MUST BE FILED WITH THE CITY RECORDER'S OFFICE BEFORE THE HEARING ON MAY 14, 1991.